

Riverside County Office of Education
Board Policy 6174 Education for English Learners

INSTRUCTION

SUBJECT: Education for English Learners

The County Board of Education (County Board) intends to provide English learners (EL) with a challenging curriculum and instruction that maximize the attainment of high levels of proficiency in English, advance multilingual capabilities, and facilitate student achievement in the County Office of Education's (County Office) course of study.

The County Office shall identify in its local control and accountability plan (LCAP) goals and specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners.

(cf. 0460 – Local Control and Accountability Plan)
(cf. 3100 – Budget)

The County Superintendent or designee (County Superintendent) shall encourage parent/guardian and community involvement in the development and evaluation of programs for English learners.

(cf. 0420 – School Plans/Site Councils)
(cf. 1220 – Citizen Advisory Committees)
(cf. 6020 – Parent Involvement)

English learners shall be provided differentiated English language development instruction which is targeted to their English proficiency level, integrated across all subject areas, and aligned with the state content standards. The County Office's program shall be based on sound instructional theory, use standards-aligned instructional materials, emphasize inquiry-based learning and critical thinking skills, and provide students with access to the full educational program.

No middle or high school student who is an English learner shall be denied enrollment in any of the following: (Education Code 60811.8)

1. Courses in the core curriculum areas of reading/language arts, mathematics, science, and history/social science, courses required to meet state and local high school graduation requirements, or courses required for middle school grade promotion

However, an English learner who has been enrolled in a school in the United States for less than 12 months or is enrolled in a program designed to develop the basic English skills of newly arrived immigrant students may be denied participation in any such course, if the course of study provided to the student is designed to remedy academic deficits incurred during participation and reasonably calculated to enable the student to attain parity of participation in the standard instructional program within a reasonable length of time after the student enters the school system.

2. A full course load as specified in Item #1 above

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3. Other courses that meet the "A-G" course requirements for college admission or are advanced courses such as honors or Advanced Placement courses, on the sole basis of the student's classification as an English learner

(cf. 6011 – Academic Standards)

(cf. 6141 – Curriculum Development and Evaluation)

(cf. 6161.1 – Selection and Evaluation of Instructional Materials)

(cf. 6161.11 – Supplementary Instructional Materials)

(cf. 6171 – Title I Programs)

(cf. 4112.22 – Staff Teaching English Learners)

The County Superintendent shall encourage parent/guardian and community involvement in the development and evaluation of programs for English learners. The County Superintendent may also provide an English development literacy training program for parents/guardians and community members so that they may better support students' English language development.

Staff Qualifications and Training

The County Superintendent shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

The County Superintendent shall provide effective professional development to teachers (including teachers in classroom settings that are not settings of language instruction educational programs), administrators, and other school or community-based organizational personnel to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners pursuant to 20 USC 6825. The County Board encourages the County Superintendent to support effective professional development for the 23 school districts in Riverside County to improve the instruction and assessment of English learners.

Staff development shall also address the sociocultural needs of English learners and provide opportunities for teachers to engage in supportive, collaborative learning communities.

(cf. 4131 – Staff Development)

Identification and Assessment

The County Superintendent shall maintain procedures for the early identification of English learners and an assessment of their proficiency. using the English Language Proficiency Assessments for California (ELPAC). To oversee test administration, the County Superintendent shall annually designate a County Office ELPAC coordinator and a site coordinator for each test site in accordance with 5 CCR 11518.40-11518.4.

Reclassification Criteria

Once identified as an English learner, a student shall be annually assessed for language proficiency until he/she is reclassified from EL to proficient in English by using a process and criteria that includes, but is not limited to:

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1. Assessment of English language proficiency. (Education Code 313[f][1]; 5 CCR 11303[a])
2. Teacher evaluation that includes, but is not limited to, the student’s academic performance. The term “teacher” refers to the classroom teacher and other certificated staff with direct responsibility for teaching or placement decisions of the student. (Education Code 313 [f][2]; 5 CCR 1303[b])
3. Opportunities for parent opinion, consultation, and involvement during the reclassification process. (Education Code 313[f][3]; 5 CCR 11303[c])
4. Comparison of student’s performance in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient students of the same age that demonstrates whether the student is sufficiently proficient in English to participate effectively in a curriculum designed for students of the same age whose native language is English. (Education Code 313 [f][4]; 5 CCR 11302, 11303[d])

In addition, English learners' academic achievement in English arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with testing variations in accordance with 5 CCR 853. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR 853)

Formative assessments may be utilized to analyze student performance and appropriately adapt teaching methodologies and instructions.

Language Acquisition Programs

The County Office shall offer research-based language acquisition programs that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state-adopted academic content standards, including the English language development standards. (Education Code 306; 5 CCR 11300)

At a minimum, the County Office shall offer a structured English immersion program which includes designated and integrated English language development. In the structured English immersion program, nearly all of the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are learning English. (Education Code 305-306; 5 CCR 11309)

For the purpose of determining the amount of instruction to be conducted in English in the structured English immersion program, "nearly all" means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

The County Office's language acquisition programs for grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)

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In establishing the County Office's language acquisition programs, the County Superintendent shall consult with parents/guardians and the community during the LCAP development process. The County Superintendent shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing a language acquisition program. (Education Code 305)

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the types of language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program, the process to be followed in making a program selection, identification of any language to be taught in addition to English when the program includes instruction in another language, and the process to request establishment of a language acquisition program. (Education Code 310; 5 CCR 11310)

Whenever a student is identified as an English learner based on the results of the ELPAC, the student's parents/guardians may choose a language acquisition program that best suits their child. To the extent possible, any language acquisition program requested by the parents/guardians of 30 or more students at the school or by the parents/guardians of 20 or more students at any grade level shall be offered by the County Office. (Education Code 310; 5 CCR 11311)

Reclassification

When an English learner is determined based on state and County Office reclassification criteria to have acquired a reasonable level of English proficiency pursuant to Education Code 313 and 52164.6, or upon request by the student's parent/guardian, the student shall be transferred from a language acquisition program into an English language mainstream classroom.

Program Evaluation

To evaluate the effectiveness of the County Office's educational program for English learners, the County Superintendent shall report to the County Board, at least annually, regarding:

1. Progress of English learners towards proficiency in English
2. The number and percentage of English learners reclassified as fluent English proficient
3. The number and percentage of English learners who are or are at risk of being classified as long-term English learners in accordance with Education Code 313.1
4. The achievement of English learners on standards-based tests in core curricular areas
5. For any language acquisition program that includes instruction in a language other than English, student achievement in the non-English language in accordance with 5 CCR 11309
6. Progress toward any other goals for English learners identified in the district's LCAP

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7. A comparison of current data with data from at least the previous year in regard to Items #1-6 above
8. A comparison of data between the different language acquisition programs offered by the district

The County Superintendent shall also provide the County Board with regular reports from any County Office or schoolwide English learner advisory committees.

Legal Reference:

EDUCATION CODE

300-340 English language education, especially:

305-310 Language acquisition programs

313-313.5 Assessment of English proficiency

430-446 English Learner and Immigrant Pupil Federal Conformity Act 33050 State Board of Education waiver authority

42238.02-42238.03 Local control funding formula 48980 Parental notifications

48985 Notices to parents in language other than English 52052 Numerically significant student subgroups 52060-52077 Local control and accountability plan 52160-52178 Bilingual Bicultural Act

56205 CDE manual on English learners with disabilities 60603 Definition, recently arrived English learner

60640 California Assessment of Student Performance and Progress 60810-60812 Assessment of language development

62002.5 Continuation of advisory committee after program sunsets **CODE OF REGULATIONS, TITLE 5**

854.1-854.3 CAASPP and universal tools, designated supports, and accommodations

854.9 CAASPP and unlisted resources for students with disabilities 11300-11316 English learner education

11510-11517.5 California English Language Development Test

11517.6-11519.5 English Language Proficiency Assessments for California **UNITED STATES CODE, TITLE 20**

1412 Individuals with Disabilities Education Act; state eligibility 1701-1705 Equal Educational Opportunities Act

6311 Title I state plan

6312 Title I local education agency plans

6801-7014 Title III, language instruction for English learners and immigrant students 7801 Definitions

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Discrimination prohibited

200.16 Assessment of English learners **COURT DECISIONS**

Valeria O. v. Davis, (2002) 307 F.3d 1036

California Teachers Association v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141

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McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196
 Teresa P. et al v. Berkeley Unified School County Office of Education et al, (1989) 724
 F.Supp.698
 ATTORNEY GENERAL OPINIONS
 83 Ops.Cal.Atty.Gen. 40 (2000)

Management Resources:

CSBA PUBLICATIONS

English Learners in Focus: The English Learner Roadmap: Providing Direction for English
 Learner Success, Governance Brief, February 2018

English Learners in Focus, Issue 4: Expanding Bilingual Education in California after Proposition
 58, Governance Brief, March 2017

English Learners in Focus, Issue 1: Updated Demographic and Achievement Profile of
 California's English Learners, Governance Brief, rev. September 2016

English Learners in Focus, Issue 3: Ensuring High-Quality Staff for English Learners,
 Governance Brief, July 2016

English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance
 Brief, September 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California English Learner Roadmap: Strengthening Comprehensive Educational Policies,
 Programs and Practices for English Learners, 2018

Matrix One: Universal Tools, Designated Supports, and Accommodations for the California
 Assessment of Student Performance and Progress for 2017-10, rev. August 2017 Reclassification
 Guidance for 2017-18, CDE Correspondence, April 28, 2017

Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning,
 December 2015

Next Generation Science Standards for California Public Schools, Kindergarten through Grade
 Twelve, rev. March 2015

English Language Arts/English Language Development Framework for California Public
 Schools: Transitional Kindergarten Through Grade Twelve, 2014

Common Core State Standards for Mathematics, rev. 2013

English Language Development Standards for California Public Schools: Kindergarten Through
 Grade Twelve, 2012

THE EDUCATION TRUST – WEST PUBLICATIONS

Unlocking Learning II: Math as a Lever for English Learner Equity, March 2018 Unlocking
 Learning: Science as a Lever for English Learner Equity, January 2017

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Accountability for English Learners Under the ESEA, Non-Regulatory Guidance, January 2017
 Innovative Solutions for Including Recently Arrived English Learners in State Accountability
 Systems: A Guide for States, January 2017

English Learner Tool Kit for State and Local Educational Agencies (SEAs and LEAS), re.
 November 2016

English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as
 Amended by the Every Student Succeeds Act (ESSA), Non-Regulatory Guidance, September 23,

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2016

Dear Colleague Letter: English Learner Students and Limited English Proficient Parents, January 7, 2015

WEB SITES

CSBA: <http://www.csba.org>

California Association for Bilingual Education: <http://www.gocabe.org> California Department of Education: <http://www.cde.ca.gov/sp/el>

National Clearinghouse for English Language Acquisition: <http://www.ncele.us> The Education Trust-West: <http://west.edtrust.org>

U.S. Department of Education: <http://www.ed.gov>